



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. BOX 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
EMD / CWB

10072PJLS.06c

**DATE: November 3, 2006**  
**NPDES PERMIT NO.: HI S000052**

**PERMIT RATIONALE:** APPLICATION FOR NATIONAL POLLUTANT  
DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT  
TO DISCHARGE TO THE WATERS OF THE UNITED  
STATES

**PERMITTEE:** STATE OF HAWAII  
DEPARTMENT OF DEFENSE (DOD)

**FACILITY:** HAWAII ARMY NATIONAL GUARD (HIARNG)  
MAINTENANCE SHOPS ON THE ISLAND OF OAHU AND  
SMALL MUNICIPAL SEPARATE STORM SEWER  
SYSTEM (SMALL MS4)

**FACILITY/SITE ADDRESS**

HIARNG Maintenance Shops  
Island of Oahu

See Table 1 - EPA General Form 3510-1  
(dated April 13, 2006) of the permit  
application for the list of facilities.

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**PERMIT STATUS**

The Permittee submitted an Individual NPDES Permit application, dated April 28, 2005, for the discharge of storm water runoff and certain non-storm water discharges from the Department of Defense (DOD) Maintenance Shops and Small Municipal Separate Storm Sewer System (Small MS4) at Various DOD Facilities on the Island of Oahu as identified in the permit application, dated April 28, 2005. Additional DOD Small MS4 outfalls may be identified from time to time by the Permittee. The Department of Health (DOH), Clean Water Branch (CWB), reviewed the additional information, dated November 18, 2005, and April 13, 2006.

The Director of Health (Director) proposes to issue a permit to discharge to the waters of the State and has included in the proposed draft permit those terms and conditions which the Director determined are necessary to carry out the provisions of the Federal Water Pollution Control Act (PL 92-500), Federal Clean Water Act of 1977 (PL 95-217) and Hawaii Revised Statutes (HRS), Chapter 342D.

## **DESCRIPTION AND LOCATION OF THE SMALL MS4s**

The Permittee owns and operates nine (9) facilities on the Island of Oahu. The DOD Small MS4s are a system of conveyances, including storm drains, catch basins, curbs, gutters, canals, and ditches, designed to collect and convey storm water runoff at each facility. See Table 1 - EPA General Form 3510-1 (dated April 13, 2006) of the permit application for the list of facilities.

## **RECEIVING WATER CLASSIFICATION**

The DOD Small MS4s serve in the Honolulu, Pearl City, Wahiawa, and Kapolei areas of the Island of Oahu. The receiving waters include Class 1 and 2, Inland Waters and Class A, Marine State Waters. HAR, Chapter 11-54, Section 11-54-3(a) requires existing storm water runoff into inland and marine waters to meet the basic water quality standards specified in HAR, Chapter 11-54, Section 11-54-4(a). The DOD Small MS4s discharge into the State of Hawaii, Department of Transportation, Highways Division (DOT-HWYS) MS4 [NPDES Permit No. HI S000001], the City and County of Honolulu (City) MS4 [NPDES Permit No. HI S000002], and U.S. Department of the Army Garrison of Hawaii MS4 [NPDES Permit No. HI S000090].

### **Class 1, Inland Waters**

The objective of Class 1 waters is “that these waters remain in their natural state as nearly as possible with an absolute minimum of pollution from any human-caused source. To the extent possible, the wilderness character of these areas shall be protected. Waste discharge into these waters is prohibited. Any conduct which results in a demonstrable increase in levels of point or nonpoint source contamination in class 1 waters is prohibited.” [HAR, Chapter 11-54, Section 11-54-3(b)(1)]

“The uses to be protected in class 1.a waters are scientific and educational purposes, protection of native breeding stock, baseline references from which human-caused changes can be measured, compatible recreation, aesthetic enjoyment, and other nondegrading uses which are compatible with the protection of the ecosystems associated with waters of this class[.]” [HAR, Chapter 11-54, Section 11-54-3(b)(1)(A)]

“The uses to be protected in class 1.b waters are domestic water supplies, food processing, protection of native breeding stock, the support and propagation of aquatic life, baseline references from which human-caused changes can be measured, scientific and educational purposes, compatible recreation, and aesthetic enjoyment. Public access to these waters may be restricted to protect drinking water supplies[.]” [HAR, Chapter 11-54, Section 11-54-3(b)(1)(A)]

### **Class 2, Inland Waters**

“The objective of class 2 waters is to protect their use for recreational purposes, the support and propagation of aquatic life, agricultural and industrial water supplies, shipping, and navigation. The uses to be protected in this class of waters are all uses compatible with the protection and

propagation of fish, shellfish, and wildlife, and with recreation in and on these waters. These waters shall not act as receiving waters for any discharge which has not received the best degree of treatment or control compatible with the criteria established for this class. No new treated sewage discharges shall be permitted within estuaries. . . .” [HAR, Chapter 11-54, Section 11-54-3(b)(2)]

#### **Class A, Marine Waters**

“It is the objective of class A waters that their use for recreational purposes and aesthetic enjoyment be protected. Any other use shall be permitted as long as it is compatible with the protection and propagation of fish, shellfish, and wildlife, and with recreation in and on these waters. These waters shall not act as receiving waters for any discharge which has not received the best degree of treatment or control compatible with the criteria established for this class. No new sewage discharges will be permitted within embayments. No new industrial discharges shall

be permitted within embayments, with the exception of: . . .” [HAR, Chapter 11-54, Section 11-54-3(c)(2)]

#### **OCEAN DISCHARGE CRITERIA**

The Director has considered the Ocean Discharge Criteria, established pursuant to Section 403(c) of the Clean Water Act for the discharge of pollutants into the territorial sea, the waters of the contiguous zone, or the oceans. The EPA has promulgated regulations for Ocean Discharge Criteria in 40 CFR Part 125, Subpart M. Therefore, the Director has determined that the discharge will not cause degradation to the marine environment. Based on current information, the Director proposes to issue a permit.

#### **DESCRIPTION OF THE PROPOSED DISCHARGE**

The discharge consists of storm water runoff and certain non-storm water discharges which are collected by the DOD Small MS4s and discharged into State Waters or into adjacent separately-owned storm drainage systems. The major pollutants of concern continue to be silt, nutrients, litter and debris, heavy metals, and petroleum hydrocarbons. The volume of discharge is dependent upon rainfall-induced runoff and is highly variable.

#### **PERMIT CONDITIONS**

The Director has considered the permit conditions to discharge storm water runoff and certain non-storm water discharges, established pursuant to the Federal Water Pollution Control Act, Federal Clean Water Act, and the HRS. The Director has determined that the discharge will not cause degradation to the receiving water environment when the Permittee complies with the conditions of the permit. Therefore, based on current information, the Director proposes to issue a permit.

**PROPOSED PERMIT DETERMINATIONS AND CONDITIONS**

1. General Requirements listed in Part A. of the permit are necessary in preventing pollutants to be discharged with the storm water and certain non-storm water discharges to the receiving State waters.
2. Discharge Limitations listed in Part B. of the permit specify that the Permittee shall effectively prohibit non-storm water discharges through its Small MS4 into State Waters. NPDES permitted discharges and non-storm water discharges identified in Part B.2. of this permit are exempt from this prohibition.
3. Receiving Water Limitations listed in Part C. of the permit are restated from HAR, Chapter 11-54, Section 11-54-4(a). The discharge shall not cause or contribute to a violation of any of the applicable beneficial uses or water quality objectives contained in HAR, Chapter 11-54, titled "Water Quality Standards."
4. Storm Water Management Plan (SWMP) requirements listed in Part D. of the permit are restated from Section 6(a) of HAR, Chapter 11-55, Appendix K. The Storm Water Pollution Control Plan (SWPCP) requirements listed in Part D.1.f.(2) of the permit are based in part on Section 5 of HAR, Chapter 11-55, Appendix B.
5. Monitoring Requirements listed in Part E. of the permit for the DOD Maintenance Shops listed in Part D.5. of the permit are based on HAR, Chapter 11-55, Appendix B. Requirements pertaining to the adoption and subsequent implementation of the Total Maximum Daily Load Waste Load Allocations are included in this section.
6. Reporting Requirements listed in Part F. of the permit are from Section 9 of HAR, Chapter 11-55, Appendix K.
7. Location Maps from the application are included in Part G. of the permit.